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December 15, 2014

VIA E-MAIL

The Honorable Hildy Bowbeer
Magistrate Judge, U.S. District Court
632 Federal Building
316 North Robert Street
St. Paul, MN 55101

Re: *Skky v. Manwin USA, Inc. and Manwin Holding s.a.r.l.* (13-cv-2086); *Skky v. Playboy Enterprises, Inc.* (13-cv-2089)

Dear Magistrate Hildy Bowbeer:

In accordance with the Court's Order on December 11, 2014, the parties provide their respective list of discovery disputes to be resolved at the teleconference on December 19, 2014. The parties will continue to discuss the issues during the week to further narrow the issues to be raised at the teleconference.

Plaintiff Skky, Inc.'s List of Issues as to Defendant Manwin's Discovery Responses:

- Refusal to produce documents related to the financial agreement with Colbeck or Fortress;
- Failure to produce third party service agreements;
- Failure to supplement interrogatory seeking a list of all websites owned and/or operated by Manwin since 2009;
- Failure to provide date certain for production of documents, such as analytics, marketing, business development/strategy, etc;
- Failure to provide date certain for supplementation of interrogatories;
- Failure to provide date certain for Rule 30(b)(6) deposition and individual deponents; and
- Manwin's requirement that any individual who is provided as Rule 30(b)(6) deponent must be deposed in their individual capacity at the same deposition.

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Plaintiff Skky, Inc.'s List of Issues as to Defendant Playboy's Discovery Responses:

- Refusal to produce documents related to the retention and discontinued use of Manwin as an operator of its websites;
- Failure to provide date certain for production of documents, such as analytics, marketing, business development/strategy, third party agreements, etc;
- Failure to provide date certain for supplementation of interrogatories; and
- Failure to provide date certain for Rule 30(b)(6) deposition and individual deponents.

Defendants' Manwin and Playboy List of Issues as to Skky's Discovery Responses:

- Failure of third parties represented by Skky's counsel to produce email and non-email discovery in response to Defendants' subpoenas despite Defendants' efforts to narrow the requests and serve search terms.
- Skky indicated that it is withholding information based on identified and unidentified NDAs. We would like the Court to set a deadline by which Skky will produce responsive documents if it is unable to find an NDA.
- Skky improperly contends that it can take three nonconsecutive deposition days with Defendants' 30(b)(6) witnesses in violation of the Court's Scheduling Order and Order at Dkt. 77.
- Skky's failure to produce federal and state tax returns and SEC filings.
- Skky's failure to supplement its responses to Defendants' Collective Interrogatories 2, 3, 4, 5 and 7.
- Skky's failure to produce all Skky meeting minutes and "Corporate Minutes Book."

In addition to the issues identified above, the parties are more than willing to discuss any other case management issues the Court would like to address at the teleconference.

Respectfully submitted,



Ryan M. Schultz
Counsel for Skky, Inc.

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/s/ Todd Noshier (with permission)

Todd Noshier

Counsel for Defendants